

ENTERED

January 23, 2018

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

LAWRENCE ADAMS,

Plaintiff,

v.

NANCY A. BERRYHILL, Acting
Commissioner of the Social Security
Administration,

Defendant.

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CIVIL ACTION NO. H-17-2572

**ORDER ADOPTING MEMORANDUM AND
RECOMMENDATION AND DISMISSING CASE**

Based on a de novo review of the Memorandum and Recommendation issued by Magistrate Judge Milloy on December 27, 2017, the court adopts it as its own Memorandum and Opinion, granting the motion to dismiss filed by the Acting Commissioner of the Social Security Administration based on the failure of the plaintiff, Lawrence Adams, to exhaust administrative remedies. The dismissal is without prejudice, to permit Mr. Adams to exhaust his administrative remedies by obtaining a final decision from the Commissioner before seeking judicial review.

SIGNED on January 22, 2018, at Houston, Texas.



Lee H. Rosenthal
Chief United States District Judge